

EXHIBIT 4

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

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4 **BLACK LOVE RESISTS IN THE RUST, et al.,**
5 **individually and on behalf of a class of**
6 **all others similarly situated,**

7 Plaintiffs,

8 -vs-

1:18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.,**

10 Defendants.
11 -----

12 CONTINUED

13 ORAL EXAMINATION OF DANIEL DERENDA

14 APPEARING REMOTELY FROM

15 BUFFALO, NEW YORK

16
17 December 23rd, 2021

18 At 9:20 a.m.

19 Pursuant to notice

20
21 REPORTED BY:

22 Rebecca L. DiBello, RPR, CSR(NY)

23 APPEARING REMOTELY FROM ERIE COUNTY, NEW YORK

DEPAOLO CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 My question is asking about the fact
2 that more than 80 percent of the checkpoints
3 were in black neighborhoods.

4 MR. QUINN: Object to the form.

5 A. If that's what your stats show, then that's
6 what they were.

7 Q. Did you specifically place checkpoints in
8 places where you wanted to have a highly
9 visible presence?

10 A. Again, going back to two reasons for the
11 checkpoints. Traffic safety and high
12 visibility. You wanted people to see them.
13 You wanted them to be there or wherever there
14 was or wherever we had issues with crime, so
15 if you had a checkpoint somewhere where you
16 had issues with shootings or burglaries,
17 again, with the police standing there it's
18 highly unlikely that these crimes would be
19 committed.

20 Q. You didn't set checkpoints in places where
21 there were a lot of accidents, right?

22 A. I don't believe I used accidents as a
23 criteria. It's possible we did, but I don't

—DEPAOLO CROSBY REPORTING SERVICES, INC.—

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1 Lockwood about changing checkpoint locations?

2 A. I don't recall, but probably.

3 Q. To your knowledge, did Mayor Brown direct this
4 change in checkpoint location?

5 A. Mayor Brown didn't direct anything with
6 policing. He always wanted to know what we
7 were doing. He never told me to do anything.

8 Q. At the bottom of the email Captain Serafini
9 says we are going to come under a lot of
10 scrutiny in the next couple of months due to
11 the upcoming mayoral election and I want to
12 reinforce to the public the good work that you
13 and the officers of the Strike Force and
14 housing units perform on a daily basis.

15 Do you think that the change in
16 checkpoint locations was related to the
17 upcoming mayoral election?

18 MR. QUINN: Form.

19 A. I don't know what it was related to. Again, I
20 don't recall. Maybe the issues the council
21 had. I don't recall exactly what took place.

22 Q. Do you recall back in July of 2017 the city
23 council passed a resolution pertaining to the

1 STATE OF NEW YORK)

2 COUNTY OF ERIE)

3
4 I, Rebecca Lynne DiBello, CSR, RPR, Notary
5 Public, in and for the County of Erie, State of
6 New York, do hereby certify:

7 That the witness whose testimony appears
8 hereinbefore was, before the commencement of
9 their testimony, duly sworn to testify the
10 truth, the whole truth and nothing but the
11 truth; that said testimony was taken pursuant
12 to notice at the time and place as herein set
forth; that said testimony was taken down by me
and thereafter transcribed into typewriting,
and I hereby certify the foregoing testimony is
a full, true and correct transcription of my
shorthand notes so taken.

13 I further certify that I am neither counsel
14 for nor related to any party to said action,
15 nor in anyway interested in the outcome
thereof.

16 IN WITNESS WHEREOF, I have hereunto
17 subscribed my name and affixed my seal this
18 8th of January, 2022.

19 

20 -----
21 Rebecca Lynne DiBello, CSR, RPR
22 Notary Public - State of New York
23 No. 01D14897420
Qualified in Erie County
My commission expires 5/11/2023

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